

EXHIBIT

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DATE

2/14/2013

HB

370

Submitted
by Tim
Mowen

Dear Members of the House Judiciary Committee,

We, the undersigned Republican members of the Montana State Legislature, stand together in expressing our desire that the death penalty abolition bill, HB370, be heard and debated by the full House.

We are Conservatives. Some of us support the death penalty in principle and some of us oppose it. We come from varied backgrounds and hold many different views. There is one thing that we agree on, though, and that is the fact that we have serious concerns about Montana's death penalty system.

As Conservatives, we care deeply about personal responsibility. As individuals of integrity, we are called to a high moral standard, and we hold our government accountable to that standard. But the death penalty does not meet that standard.

The death penalty demands perfection because it's irreversible. One mistake could mean the intolerable loss of innocent life. Yet our government is made up of individuals who are neither perfect nor immune from mistakes. We know that people in this state have been jailed for crimes that they did not commit. Some were threatened with the death penalty. No system is infallible. In an era when we believe we cannot rely on the government to correctly fix a pothole, how can we trust our government to determine who should live and who should die?

We believe in a sound, trustworthy justice system. To be meaningful, justice should also be swift and sure. The death penalty is none of those things. Instead, the death penalty is a prime example of a failed government program. It is a complicated, bloated bureaucracy that has devoured millions of dollars with little to show for it. At a time when our economy is struggling, to say the least, a system that squanders away precious resources is completely unacceptable.

Yet to speed up the process could be dangerous, since it can take decades for the truth to come to light after a mistake has been made. For this reason, the courts devote much greater scrutiny to a death penalty case. The result is a process that harms victims' families, forcing them into a lengthy rollercoaster of reversals and retrials that almost never end in the promised execution. We care deeply about the family members of those who have been taken by homicide. We refuse to stand behind a system that re-victimizes them and falsely promises a closure that does not exist.

It is for all of these reasons that we stand together in saying that the death penalty system in our great state is dysfunctional and broken. It's time we allow the full legislature to debate the issue on its merits.

Sincerely,

Representative Doug Kary – HD 48
Senator Matthew Rosendale, Sr. – SD 19
Representative Ray Shaw – HD 71
Representative Daniel Zolnikov – HD 47
Representative Doc Moore – HD 91
Representative Mike Lang – HD 35
Representative Steve Gibson - HD 78
Representative Clayton Fiscus – HD 46
Representative Ed Greef – HD 90
Representative Rob Cook – HD 27
Representative Christy Clark – HD 17
Representative Nick Schwaderer – HD 14
Representative Joanne Blyton – HD 5